

1 HOUSE BILL NO. 540

2 INTRODUCED BY S. BERGLEE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO SCHOOL DISTRICT BOUNDARY
5 ADJUSTMENTS; REQUIRING THE BOUNDARIES OF AN ELEMENTARY SCHOOL DISTRICT TO BE
6 CONTAINED ENTIRELY WITHIN THE SAME HIGH SCHOOL DISTRICT; AUTHORIZING THE COUNTY
7 SUPERINTENDENT OF SCHOOLS TO ADJUST HIGH SCHOOL DISTRICT BOUNDARIES; AMENDING
8 SECTIONS 20-6-215 AND 20-6-322, MCA; AND PROVIDING AN EFFECTIVE DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 20-6-215, MCA, is amended to read:

13 **"20-6-215. Review of boundaries by county superintendent.** (1) A county superintendent of
14 schools shall, at least once every 3 years, review the existing elementary school district boundaries in the
15 county. The review and any recommended boundary changes must include information that the territory
16 proposed for transfer complies with the provisions of 20-6-105(1) through (3) and must be presented by the
17 superintendent at a hearing conducted under 20-6-105(6). If the superintendent orders a boundary change after
18 the hearing, the superintendent shall forward copies of the review and the testimony at the hearing to the board
19 of county commissioners and the state superintendent of public instruction.

20 (2) Each elementary school district boundary must be contained entirely within the same high school
21 district boundary. A high school district boundary may be adjusted pursuant to 20-6-322(2) to comply with this
22 subsection."

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24 **Section 2.** Section 20-6-322, MCA, is amended to read:

25 **"20-6-322. Boundary adjustments in high school districts.** (1) The trustees of a high school district
26 may, by resolution, request a change in the boundaries between their district and an adjacent district. If the
27 trustees request a transfer by resolution, the territory proposed for transfer must conform to the provisions of
28 20-6-105(1) and (2) and the resolution must include information outlined in 20-6-105(3). The resolution must be

1 addressed to the county superintendent of schools who, upon receiving the resolution, shall proceed to a
2 hearing as provided in 20-6-105(6).

3 (2) (a) During a review of elementary school district boundaries pursuant to 20-6-215, the county
4 superintendent of schools shall adjust a high school district boundary to comply with the requirements of 20-6-
5 215(2). The review and any proposed boundary changes must include information that the territory proposed
6 for transfer complies with the provisions of 20-6-105(1) through (3) and must be presented to the county
7 superintendent at a hearing conducted pursuant to 20-6-105(6).

8 (b) If the county superintendent orders a boundary change following the required hearing, the county
9 superintendent shall forward copies of the review and the testimony received at the hearing to the board of
10 county commissioners and the superintendent of public instruction.

11 (3) The county superintendent may adjust borders to a contiguous high school district in an adjacent
12 county."

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14 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2021.

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